

## SENATE BILL No. 437

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### DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 27-8-32; IC 27-13-7-20.

**Synopsis:** Coverage for cancer chemotherapy. Requires certain policies of accident and sickness insurance and health maintenance organization contracts to provide certain coverage for orally administered cancer chemotherapy.

**Effective:** July 1, 2009.

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**Becker, Lawson C**

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January 14, 2009, read first time and referred to Committee on Health and Provider Services.

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First Regular Session 116th General Assembly (2009)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2008 Regular Session of the General Assembly.

## SENATE BILL No. 437

A BILL FOR AN ACT to amend the Indiana Code concerning insurance.

*Be it enacted by the General Assembly of the State of Indiana:*

1 SECTION 1. IC 27-8-32 IS ADDED TO THE INDIANA CODE AS  
2 A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY  
3 1, 2009]:

4 **Chapter 32. Coverage for Chemotherapy**

5 **Sec. 1. This chapter applies to a policy of accident and sickness**  
6 **insurance that provides coverage for cancer chemotherapy.**

7 **Sec. 2. As used in this chapter, "cancer chemotherapy" means**  
8 **medication that is prescribed by a physician to kill or slow the**  
9 **growth of cancer cells.**

10 **Sec. 3. As used in this chapter, "insured" means an individual**  
11 **who is entitled to coverage under a policy of accident and sickness**  
12 **insurance.**

13 **Sec. 4. As used in this chapter, "policy of accident and sickness**  
14 **insurance" has the meaning set forth in IC 27-8-5-1.**

15 **Sec. 5. Coverage for orally administered cancer chemotherapy**  
16 **under a policy of accident and sickness insurance must not be**  
17 **subject to dollar limits, copayments, or deductibles that are less**



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1 favorable to an insured than the dollar limits, copayments, or  
 2 deductibles that apply to coverage for cancer chemotherapy that  
 3 is administered intravenously or by injection under the policy of  
 4 accident and sickness insurance.

5 **Sec. 6. If coverage for orally administered cancer chemotherapy**  
 6 **under a policy of accident and sickness insurance is, on June 30,**  
 7 **2009, more favorable to an insured than coverage under the policy**  
 8 **of accident and sickness insurance for cancer chemotherapy that**  
 9 **is administered intravenously or by injection, the policy of accident**  
 10 **and sickness insurance must, after June 30, 2009, provide at least**  
 11 **the same coverage for orally administered cancer chemotherapy as**  
 12 **the coverage that was provided for orally administered cancer**  
 13 **chemotherapy on June 30, 2009.**

14 **SECTION 2. IC 27-13-7-20 IS ADDED TO THE INDIANA CODE**  
 15 **AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY**  
 16 **1, 2009]: Sec. 20. (a) This section applies to an individual contract**  
 17 **or a group contract that provides coverage for cancer**  
 18 **chemotherapy.**

19 **(b) As used in this section, "cancer chemotherapy" means**  
 20 **medication that is prescribed by a physician to kill or slow the**  
 21 **growth of cancer cells.**

22 **(c) Coverage for orally administered cancer chemotherapy**  
 23 **under an individual contract or a group contract must not be**  
 24 **subject to dollar limits, copayments, or deductibles that are less**  
 25 **favorable to an enrollee than the dollar limits, copayments, or**  
 26 **deductibles that apply to coverage for cancer chemotherapy that**  
 27 **is administered intravenously or by injection under the individual**  
 28 **contract or group contract.**

29 **(d) If coverage for orally administered cancer chemotherapy**  
 30 **under an individual contract or a group contract is, on June 30,**  
 31 **2009, more favorable to an enrollee than coverage under the**  
 32 **individual contract or group contract for cancer chemotherapy**  
 33 **that is administered intravenously or by injection, the individual**  
 34 **contract or group contract must, after June 30, 2009, provide at**  
 35 **least the same coverage for orally administered cancer**  
 36 **chemotherapy as the coverage that was provided for orally**  
 37 **administered cancer chemotherapy on June 30, 2009.**

38 **SECTION 3. [EFFECTIVE JULY 1, 2009] (a) IC 27-8-32, as**  
 39 **added by this act, applies to a policy of accident and sickness**  
 40 **insurance that is issued, delivered, amended, or renewed after June**  
 41 **30, 2009.**

42 **(b) IC 27-13-7-20, as added by this act, applies to an individual**

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- 1 contract or a group contract that is entered into, delivered,
- 2 amended, or renewed after June 30, 2009.
- 3 (c) This SECTION expires June 30, 2014.

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